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TAGS: [PHUM](#) [PGOV](#) [PREL](#) [KIRF](#) [KDEM](#) [EG](#)  
SUBJECT: EGYPT'S BAHAI WIN LEGAL BATTLE

REF: A. 08 CAIRO 157  
[1](#)B. 08 CAIRO 699  
[1](#)C. 08 CAIRO 2349

Classified By: Minister-Counselor for Economic and Political Affairs  
William R. Stewart for Reason 1.4 (d).

#### [1](#)1. KEY POINTS

- (SBU) On March 16, Egypt's Supreme Administrative Court dismissed a legal challenge filed by an Islamist lawyer that had heretofore blocked the implementation of a January 2008 court decision directing the Ministry of Interior (MoI) to issue identification documents to members of Egypt's Baha'i community.
- (C) According to local Baha'is, they will immediately test the GoE's willingness to obey the court's decision by applying for identification documents.

[1](#)2. (C) COMMENT: According to Rauof Hindy, a prominent Egyptian Baha'i who has become the public face of the Baha'is fight to obtain identity documents, the March 16 ruling represents an important victory for the Baha'i. Hossam Bahgat, director of the Egyptian Initiative for Personal Rights (EIPR), a human rights NGO which represented the Baha'is, agreed and told us that the decision marks the end of the Baha'is legal battles. While this is an important legal victory, the issue now is whether the MoI will comply with the court's order, and if it does, whether it will read the decision broadly and issue identification documents to other Baha'is not involved directly in the case.

#### ----- EGYPT'S BAHAI'S' LONG WAIT FOR JUSTICE -----

[1](#)3. (SBU) Egypt's Baha'is have long struggled with their inability to obtain Egyptian identification documents because of the legal requirement that all such documents specify the holder's religion as either Muslim, Christian or Jew (ref B). Many Bah'is are unwilling to accept documents so identifying them as members of a GoE "recognized" religion, both for practical and religious reasons. On January 29, 2008, the Cairo Administrative Court ordered the MoI to issue identification documents with a dash in the religious identification space to three Baha'is (ref A). The MoI decided not to appeal the decision, but the Baha'is were unable to enforce the order when two lawyers long associated with Islamist causes, each filed a legal challenge to the decision with Egypt's Supreme Administrative Court. Following a GoE legal advisory board's issuance of an opinion that the challenges were invalid, on January 17, the Supreme Administrative Court dismissed the first challenge, and has now dismissed the remaining challenge, clearing the way, at least legally, for the implementation of the 2008 decision.

[1](#)4. (C) Raouf Hindy, who is the father of two of the

litigants told us that his children will immediately test  
he GoE's willingness to comply with the court order by  
presenting their applications for identification documents to  
an MoI civil registry office on March 21.

SCOBAY